

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: James L. Stout and  
Pamela J. Stout

Debtor(s).

)  
) Case No. 22-22128-CMB  
)  
) Chapter 13  
)  
X

**ORDER OF COURT**  
(Check Boxes That Apply)

☒ Confirming Plan on Final Basis

☐ Chapter 13 Plan dated:  
\_\_\_\_\_

☐ Authorizing Distributions Under Plan ☒ Amended Chapter 13 dated:  
On Interim Basis Solely as Adequate June 5, 2024  
Protection

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is \$1479 effective 5/23.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. **Unique Provisions Applicable Only to This Case:** *Only those provisions which are checked below apply to this case:*

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$1716, beginning 7/24. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.
- ☐ B. The length of the Plan is changed to a total of at least \_\_\_\_ months. This

statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.

- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. ***Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.*** The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

**PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.**

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor \_\_\_\_\_ shall be paid monthly payments of \$ \_\_\_\_\_ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☒ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:  
\*IRS CL#4
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- 
- ☒ K. Additional Terms and Conditions:  
\*Trustee's Certificate of Default (Doc 67) is resolve by this order  
*\*All plan payments must be by TFS, WA, or (where eligible) ACH. Trustee reserves the right to reject money orders or cashier's checks, provided further that if she, in her discretion, presents such items for payments she may keep the funds on hold for more than 30 days before distributing on such types of payments. Debtors making payments by money order or cashier's check assume the risk that distributions under the plan will be delayed because of the failure to pay by one of the approved methods.*

**2. Deadlines. The following deadlines are hereby established and apply to this case:**

**A. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**B. Review of Claims Docket and Objections to Claims.** Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

**C. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**D. Filing Amended Plans or Other Stipulation.** Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a

lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

**3. Additional Provisions. The following additional provisions apply in this case:**

**A.** Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

**B.** The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

**C.** Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

**D.** Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

**E.** The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

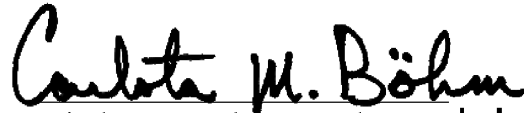
**F.** In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

**G.** The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

**H.** The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the

appropriate taxing authorities as they become due.

Dated: 7/11/2024

  
United States Bankruptcy Judge **dmk**

cc: All Parties in Interest to be served by Clerk

FILED  
7/11/24 4:49 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDP

In re:  
James L. Stout  
Pamela J. Stout  
Debtors

Case No. 22-22128-CMB  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Jul 11, 2024

User: auto  
Form ID: pdf900

Page 1 of 3  
Total Noticed: 33

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 13, 2024:**

Recip ID	Recipient Name and Address
db/jdb	+ James L. Stout, Pamela J. Stout, 1533 West Crawford Ave, Connellsville, PA 15425-2311
cr	+ Portfolio Recovery Associates, LLC, as assignee of, 8245 Tournament Dr., Suite 330, Memphis, TN 38125-8898
15529281	+ Escallate, 5200 Stoneham Road, North Canton, OH 44720-1584
15529283	+ Frick Hospital, 508 S. Church Street, Mount Pleasant, PA 15666-1790
15529287	+ Lubbock Heart & Surgical Hospital, 4810 N Loop 289, Lubbock, TX 79416-3025
15529289	+ Northwest Consumer Discount, 347 Countryside Plaza, Mount Pleasant, PA 15666
15529291	+ PNC Bank, 330 Garnet Way, Pittsburgh, PA 15224-2006
15529290	+ Pa Department Of Labor & Industry, PO Box 28405, Harrisburg, PA 17128-0001
15529293	+ Professional Account MGM, 633 W Wisconsin Ave, Milwaukee, WI 53203-1920

TOTAL: 9

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	Email/Text: BankruptcyECFMail@mccalla.com	Jul 11 2024 23:47:00	US Bank Trust National Association, Not In Its Ind, c/o McCalla Raymer Leibert Pierce, LLC, Bankruptcy Department, 1544 Old Alabama Road, Roswell, GA 30076
cr	+ Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jul 12 2024 00:03:09	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15545086	+ Email/Text: kwalters@autotrakk.com	Jul 11 2024 23:48:00	Auto Trakk LLC, 342 Fairfield Road, Montoursville, PA 17754-8315
15529274	+ Email/Text: kwalters@autotrakk.com	Jul 11 2024 23:48:00	AutoTrakk LLC, 1500 Sycamore Rd Ste 200, Montoursville, PA 17754-9416
15529275	+ Email/Text: EBN_IndianapolisIMC@receivemorermp.com	Jul 11 2024 23:48:00	Berks Credit & Coll, 900 Corporate Dr, Reading, PA 19605-3340
15529276	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Jul 12 2024 02:04:55	CAP ONE, PO Box 30253, Salt Lake City, UT 84130-0253
15547763	Email/Text: ebnnotifications@creditacceptance.com	Jul 11 2024 23:47:00	Credit Acceptance, Silver Triangle Bldg, 25505 West 12th Mile RD, Southfield, MI 48034
15529280	+ Email/PDF: creditonebknotifications@resurgent.com	Jul 12 2024 00:02:29	CREDIT ONE BANK, PO BOX 98872, Las Vegas, NV 89193-8872
15529277	+ Email/PDF: AIS.cocard.ebn@aisinfo.com	Jul 12 2024 00:02:45	Capital One, PO Box 5253, Carol Stream, IL 60197-5253
15529279	+ Email/Text: convergent@ebn.phinsolutions.com	Jul 11 2024 23:48:01	Convergent Outsourcing, PO Box 9004, Renton, WA 98057-9004
15542999	+ Email/Text: ebnnotifications@creditacceptance.com	Jul 11 2024 23:47:00	Credit Acceptance, 25505 W Twelve Mile Rd,

District/off: 0315-2

User: auto

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			Suite 3000, Southfield MI 48034-8331
15547766	Email/Text: ECF@fayservicing.com	Jul 11 2024 23:47:00	Fay Servicing, LLC, Bankruptcy Department, PO Box 814609, Dallas, TX 75381
15529282	+ Email/Text: bnc-bluestem@quantum3group.com	Jul 11 2024 23:48:00	Fingerhut, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820
15529285	Email/Text: sbse.cio.bnc.mail@irs.gov	Jul 11 2024 23:47:00	Internal Revenue Service, Insolvency Unit, PO Box 628, Pittsburgh, PA 15230
15529278	Email/PDF: ais.chase.ebn@aisinfo.com	Jul 12 2024 02:04:55	CHASE BANK USA, PO Box 15298, Wilmington, DE 19850
15529288	+ Email/PDF: MerrickBKNotifications@Resurgent.com	Jul 12 2024 00:02:30	MERRICK BANK, POB 1500, Draper, UT 84020-1127
15542846	Email/PDF: MerrickBKNotifications@Resurgent.com	Jul 12 2024 00:16:18	MERRICK BANK, Resurgent Capital Services, PO Box 10368, Greenville, SC 29603-0368
15529292	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jul 12 2024 02:04:57	Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541
15529294	+ Email/PDF: ais.sync.ebn@aisinfo.com	Jul 12 2024 01:34:10	SYNCB/CARE CREDIT, PO BOX 965036, Orlando, FL 32896-5036
15529441	^ MEBN	Jul 11 2024 23:41:53	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15559105	^ MEBN	Jul 11 2024 23:40:53	US Bank Trust National Association et al, Fay Servicing, LLC, PO Box 814609, Dallas, TX 75381-4609
15556430	Email/PDF: ebn_ais@aisinfo.com	Jul 12 2024 02:04:57	Verizon, by American InfoSource as agent, PO Box 4457, Houston, TX 77210-4457
15529296	+ Email/Text: bankruptcynotice@westlakefinancial.com	Jul 11 2024 23:47:00	WESTLAKE FINANCIAL SERVI, 4751 WILSHIRE BLVD, Los Angeles, CA 90010-3827
15529295	+ Email/Text: bnc-bluestem@quantum3group.com	Jul 11 2024 23:48:00	Webbank/ Fingerhut, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820
TOTAL: 24			

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
15547757	*+	AutoTrakk LLC, 1500 Sycamore Rd Ste 200, Montoursville, PA 17754-9416
15547758	*+	Berks Credit & Coll, 900 Corporate Dr, Reading, PA 19605-3340
15547759	*+	CAP ONE, PO Box 30253, Salt Lake City, UT 84130-0253
15547764	*+	CREDIT ONE BANK, PO BOX 98872, Las Vegas, NV 89193-8872
15547760	*+	Capital One, PO Box 5253, Carol Stream, IL 60197-5253
15547762	*+	Convergent Outsourcing, PO Box 9004, Renton, WA 98057-9004
15547765	*+	Escallate, 5200 Stoneham Road, North Canton, OH 44720-1584
15547767	*+	Fingerhut, 6250 Ridgewood Road, Saint Cloud, MN 56303-0820
15547768	*+	Frick Hospital, 508 S. Church Street, Mount Pleasant, PA 15666-1790
15529286	*+	Internal Revenue Service, William S. Moorehead Federal Building, 1000 Liberty Avenue, Room 727, Pittsburgh, PA 15222-4107
15547771	*+	Internal Revenue Service, William S. Moorehead Federal Building, 1000 Liberty Avenue, Room 727, Pittsburgh, PA 15222-4107
15547770	*	Internal Revenue Service, Insolvency Unit, PO Box 628, Pittsburgh, PA 15230
15529284	*+	Internal Revenue Service, Insolvency Unit, PO Box 7346, Philadelphia, PA 19101-7346
15547769	*+	Internal Revenue Service, Insolvency Unit, PO Box 7346, Philadelphia, PA 19101-7346
15547761	*P++	JPMORGAN CHASE BANK N A, BANKRUPTCY MAIL INTAKE TEAM, 700 KANSAS LANE FLOOR 01, MONROE LA 71203-4774, address filed with court., CHASE BANK USA, PO Box 15298, Wilmington, DE 19850
15547772	*+	Lubbock Heart & Surgical Hospital, 4810 N Loop 289, Lubbock, TX 79416-3025
15547773	*+	MERRICK BANK, POB 1500, Draper, UT 84020-1127
15547774	*	Northwest Consumer Discount, 347 Countryside Plaza, Mount Pleasant, PA 15666
15547776	*+	PNC Bank, 330 Garnet Way, Pittsburgh, PA 15224-2006

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15547777	*P++	PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067, address filed with court, Portfolio Recovery Associates, LLC, POB 41067, Norfolk, VA 23541
15547775	*+	Pa Department Of Labor & Industry, PO Box 28405, Harrisburg, PA 17128-0001
15547778	*+	Professional Account MGM, 633 W Wisconsin Ave, Milwaukee, WI 53203-1920
15547779	*+	SYNCB/CARE CREDIT, PO BOX 965036, Orlando, FL 32896-5036
15547781	*+	WESTLAKE FINANCIAL SERVI, 4751 WILSHIRE BLVD, Los Angeles, CA 90010-3827
15547780	*+	Webbank/ Fingerhut, 6250 Ridgewood Roa, Saint Cloud, MN 56303-0820

TOTAL: 0 Undeliverable, 25 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

**I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jul 13, 2024

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

**The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 11, 2024 at the address(es) listed below:**

Name	Email Address
Andrew L. Spivack	on behalf of Creditor Portfolio Recovery Associates LLC, as assignee of Westlake Services, LLC ("PRA"), by and through it andrew.spivack@brockandscott.com, wbecf@brockandscott.com
Denise Carlon	on behalf of Creditor US Bank Trust National Association Not In Its Individual Capacity But Solely As Owner Trustee For VRMTG Asset Trust dcarlon@kmlawgroup.com
Lawrence W. Willis	on behalf of Debtor James L. Stout ecf@westernpabankruptcy.com urfreshstrt@gmail.com;willislr88866@notify.bestcase.com
Lawrence W. Willis	on behalf of Joint Debtor Pamela J. Stout ecf@westernpabankruptcy.com urfreshstrt@gmail.com;willislr88866@notify.bestcase.com
Mario J. Hanyon	on behalf of Creditor Portfolio Recovery Associates LLC, as assignee of Westlake Services, LLC ("PRA"), by and through it wbecf@brockandscott.com, mario.hanyon@brockandscott.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteewdpa.com

TOTAL: 7